

**ORDINANCE NO. 1485**

**AN ORDINANCE AMENDING ARTICLE 20 SECTION 9-227 AND 9-228 OF THE NORTHPORT CODE**

**WHEREAS**, Environmental Tobacco Smoke is a leading public health problem in the City of Northport and throughout the United States; and

**WHEREAS**, the use of lighted smoking products inherently creates a health hazard of second hand smoke, which affects the public health, indoor environment, and the enjoyment of public places; and

**WHEREAS**, there exists conclusive evidence that Environmental Tobacco Smoke causes cancer, cardiovascular disease, respiratory disease, negative birth outcomes, allergies and irritations to the eyes, ears, nose, and throat of both smokers and nonsmokers; and

**WHEREAS**, Environmental Tobacco Smoke, which includes both exhaled and side stream smoke from burning cigarettes, causes the deaths of 53,000 Americans each year; and

**WHEREAS**, the harmful effects of Environmental Tobacco Smoke are not confined to smokers but also cause severe discomfort and illness to nonsmokers; and

**WHEREAS**, both the Public Health Services National Toxicology Program and the World Health Organizations' International Agency for Research on Cancer identify Environmental Tobacco Smoke as a human Class A carcinogen and state that there is no safe level of exposure; and

**WHEREAS**, there are laws in place that protect workers from other environmental hazards, including Class A carcinogens such as asbestos, arsenic and benzenes, but none which regulate exposure to Environmental Tobacco Smoke; and

**WHEREAS**, the United States Surgeon General, the American Cancer Society, the American Lung Association, and the Alabama Department of Public Health have concluded that involuntary smoking is a cause of disease, including lung cancer, in nonsmokers.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHPORT, ALABAMA** that Chapter IX, Article 20, of the Code of Northport, Alabama, be amended and read as follows:

See Exhibit "A" attached hereto and incorporated herein by reference as if fully set out herein verbatim.

2. The provisions of this Ordinance are separable. If any part or parts of this Ordinance are declared unconstitutional or otherwise invalid by a Court of competent jurisdiction, the remaining part or parts shall continue in full force and effect.

3. This Ordinance expressly does not repeal any other provisions of the Code of the City of Northport, Alabama.

**EXHIBIT "A"**

**ARTICLE 20**

**REGULATIONS REGARDING SMOKING AT PUBLIC BUILDINGS**

Section 9-227. Regulation of Smoking in Public Buildings.

It shall be unlawful for any person to carry, hold, or possess lighted smoking materials in any form, including, but not limited to, the possession of lighted cigarettes, cigars, pipes, or other tobacco products, in any portion of any public building within the City, including, but not limited to: Northport Civic Center, Northport City Hall, Northport Fire Stations No. 1,2,3,and 4, Northport Public Safety Building, Northport Public Works, Northport Water Treatment Plant, and Northport Wastewater Treatment Plant.

Section 9-228. is hereby repealed

4. Where no penalty is specified herein about, the violations of the provisions of the Code of this Ordinance shall be punishable as provided by Section 1-9 of the Code of Ordinances of the City of Northport, or by a schedule of fines established by resolution of the City Council for the City of Northport, Alabama.

5. This Ordinance shall take effect immediately upon passage or otherwise becoming law.

ORDAINED THIS THE 17 DAY OF November 2003.

CITY COUNCIL OF THE  
CITY OF NORTHPORT, ALABAMA

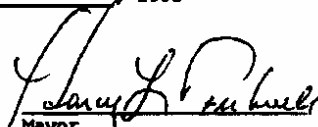
BY:

  
Bob Rust,  
Its President

Attest:

  
City Administrator/Clerk

APPROVED this the 17th day of November 2003

  
Mayor

ATTEST:

  
City Administrator/Clerk

First Reading 11/3/03

By: Thomas

Second Reading 11/17/03

Motion By: Thomas

Second By: Booth

Published: 11/26/03